

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ERIN O'DONNELL, *et al.*,

Plaintiffs,

v.

CITY OF CLEVELAND, *et al.*,

Defendants.

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CASE NO. 1:14-cv-02612

OPINION & ORDER
[Resolving Doc. [26](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Defendant Frank G. Jackson filed a motion for judgment on the pleadings.^{1/} Plaintiffs O'Donnell et al. sued Mayor Frank G. Jackson only "in his official capacity as Mayor."^{2/} Plaintiffs also sued the City of Cleveland and the City of Cleveland remains a Defendant in this case.

When a plaintiff sues a government official in his official capacity, courts treat the claim as one against the government entity itself.^{3/}

Because Plaintiffs sued Defendant Jackson in his official capacity as mayor and because the City of Cleveland remains a defendant in this matter, the claims against Defendant Jackson are duplicative of the claims against the City of Cleveland.

For the foregoing reasons, the Court **GRANTS** Defendant Jackson's motion for judgment

^{1/}Doc. [26](#).

^{2/}Doc. [1](#).

^{3/}[Kentucky v. Graham, 473 U.S. 159 \(1985\)](#).

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on the pleadings. The Court dismisses all of Plaintiffs' claims against Jackson.

IT IS SO ORDERED.

Dated: September 30, 2015

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE